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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,673	01/27/2004	Steven K. Ma	SVL920030110US1	3028
47069 7590 10/04/2007 KONRAD RAYNES & VICTOR, LLP ATTN: IBM54 315 SOUTH BEVERLY DRIVE, SUITE 210 BEVERLY HILLS, CA 90212			EXAMINER HANNE, SARA M	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 10/04/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/766,673

**Applicant(s)**

MA, STEVEN K.

**Examiner**

Sara M. Hanne

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/27/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to the application received on January 27, 2004.

Claims 1-30 with Independent Claims 1, 11 and 21 are pending in the application.

### ***Drawings***

2. The drawings are objected to because the specification refers to a "Block 255" missing from the drawings and Figure 10 contains a Block 254 not disclosed by the specification. This appears to be merely a typographical error. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 11-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 11-20 constitutes software per se not embodied on a computer readable medium. Claim 11 recites means for performing the steps claimed. The means have not been defined in the specification to include any hardware or statutory material and therefore have not been limited to statutory embodiments (MPEP 2106). The specification includes IDE software, which can be read as the means for performing the recited steps. The dependent Claims (12-20) fail to introduce any computer readable medium or statutory material and therefore are rejected under the same rationale as Claim 11.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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6. Claims 1-5, 8-9, 11-15, 18-19, 21-25 and 28-29, are rejected under 35

U.S.C. 102(e) as being anticipated by Moehrle, US Patent 7216301.

As in Independent Claims 1, 11 and 21, Moehrle teaches a method, system and article of manufacture for causing operations to be performed comprising and including means for the following: rendering a display of at least one data set name (Fig. 4A, ref. 102), wherein each data set is associated with one or more file components (Fig. 4B, 10b-10d); receiving selection of one displayed data set name (Col. 5, line 6) and displaying names of the file components associated with the selected data set (Col. 5, lines 8-9); receiving selection of at least one of the displayed file component names (Fig. 4B, Selection of ref. 50); and rendering the selected data set name and selected at least one selected file component name in a history panel (Fig. 4C), wherein the selected data set name and selected at least one file component are displayed in a hierarchical tree arrangement (Fig. 4B to 4C and corresponding text).

As in Claims 2, 12 and 22, Moehrle teaches the data set name is displayed as a parent at a higher hierarchical level (Fig. 4B, 10a) to the file components (Fig. 4B, 10b-10d) associated with the displayed data set name (Fig. 4B, 101), wherein the file components are rendered as children in the history panel of the data set with which they are associated ("menu item 1.0 is the parent of menu items 1.1, 1.2, 1.3 and 1.4", Col. 3, lines 22-23).

As in Claims 3, 13 and 23, Moehrle teaches receiving one search qualifier (Fig. 7C); transmitting a request for data set names that satisfy the received at least one

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search qualifier (1.2.3.x), wherein the displayed data set names comprise data set names returned in response to the transmitted request whose name satisfies the at least one search qualifier (Col. 8, lines 36-39).

As in Claims 4, 14 and 24, Moehrle teaches transmitting a request for file component names of the selected data set name, wherein the displayed file component names comprise file component names returned in response to the transmitted request for file component names (Col. 9, lines 16-20).

As in Claims 5, 15 and 25 Moehrle teaches the displayed at least one data set name and at least one file component name are displayed in a search panel separate from the history panel displaying the selected data set and/or file component names (As seen in Fig. 5B, the history panel is displayed in the top line and a data set name, 1.2.4 and at least one file component name 1.2.4.4 are displayed in the lines below).

As in Claims 8, 18 and 28, Moehrle teaches receiving user action with respect to one selected data set name or file component name displayed in the history panel, wherein the action specifies an operation to perform with respect to the selected data set name or file component (when the user selects a level it creates a tab for that level as seen in Fig. 5D).

As in Claims 9, 19 and 29, Moehrle teaches the operation is deleting the selected data set or file component (Fig. 5D, 5E deletes previously selected 1.2.3.4).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6-7, 10, 16-17, 20, 26-27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moehrle, US Patent 7216301, and further in view of Arkhipov et al., US Patent Application Publication 2005/0114769, hereinafter Arkhipov.

As in Claims 6, 16 and 26, Moehrle teaches the files being accessed by a developer (user creating the active path) and steps of and means for rendering a display of at least one data set name, wherein each data set is associated with one or more file components; receiving selection of one displayed data set name and displaying names of the file components associated with the selected data set; receiving selection of at least one of the displayed file component names; and rendering the selected data set name and selected at least one selected file component name in a history panel, wherein the selected data set name and selected at least one file component are displayed in a hierarchical tree arrangement (See Claims 1, 11 and 21 rejected supra). While Moehrle teaches selection of a data set name and corresponding file component name for hierarchical display in a history panel, they fail to show the file components include source code as recited in the claims. In the same field of the invention, Arkhipov teaches a file components including source code accessing program similar to that of Moehrle. In addition, Arkhipov further teaches

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editing source code file being accessed by a developer (Pg. 1, Par 11 and Fig. 2, ref. 210, 220, 280). It would have been obvious to one of ordinary skill in the art, having the teachings of Moehrle and Arkhipov before him at the time the invention was made, to modify the selection of a data set name and corresponding file component name for hierarchical display in a history panel taught by Moehrle to include the file components to include source code of Arkhipov, in order to obtain selection of a data set name and corresponding file component name for hierarchical display in a history panel, the file components include source code files being accessed by a developer. One would have been motivated to make such a combination because an Integrated Development Environment for user's frequently used files would have been obtained, as taught by Arkhipov.

As in Claims 7, 17, and 27, Moehrle teaches the steps of and means for rendering a display of at least one data set name, wherein each data set is associated with one or more file components; receiving selection of one displayed data set name and displaying names of the file components associated with the selected data set; receiving selection of at least one of the displayed file component names; and rendering the selected data set name and selected at least one selected file component name in a history panel, wherein the selected data set name and selected at least one file component are displayed in a hierarchical tree arrangement (See Claims 1, 11 and 21 rejected supra). While Moehrle teaches selection of a data set name and corresponding file component name for hierarchical display in a history panel, they fail to show the source code files in different programming languages as recited in the



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claims. In the same field of the invention, Arkhipov teaches a file accessing program similar to that of Moehrle. In addition, Arkhipov further teaches multilanguage documents of source code that can be accessed and edited (Pg. 3, Par. 38-39). It would have been obvious to one of ordinary skill in the art, having the teachings of Moehrle and Arkhipov before him at the time the invention was made, to modify the selection of a data set name and corresponding file component name for hierarchical display in a history panel taught by Moehrle to include the multilanguage documents of source code that can be accessed and edited of Arkhipov, in order to obtain selection of a data set name and corresponding file component name for hierarchical display in a history panel the corresponding file components comprising source code documents of different languages. One would have been motivated to make such a combination because a unified interface for source code editing would have been obtained, as taught by Arkhipov.

As in Claims 10, 20 and 30, Moehrle teaches displaying content of the selected file component in a panel (Fig. 5D bottom panel) displayed with the history panel (top line) and the steps of and means for rendering a display of at least one data set name, wherein each data set is associated with one or more file components; receiving selection of one displayed data set name and displaying names of the file components associated with the selected data set; receiving selection of at least one of the displayed file component names; and rendering the selected data set name and selected at least one selected file component name in a history panel, wherein the selected data set name and selected at least one file component are displayed in a hierarchical tree

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arrangement (See Claims 1, 11 and 21 rejected supra). While Moehrle teaches selection of a data set name and corresponding file component name for hierarchical display in a history panel, displaying content of the selected file component in a panel displayed with the history panel and suggests an editing interface for the files (Fig. 6A) they fail to show the editing of the displayed content as recited in the claims. In the same field of the invention, Arkhipov teaches a file accessing program similar to that of Moehrle. In addition, Arkhipov further teaches editing of the displayed content (Fig. 2, ref. 280). It would have been obvious to one of ordinary skill in the art, having the teachings of Moehrle and Arkhipov before him at the time the invention was made, to modify the selection of a data set name and corresponding file component name for hierarchical display in a history panel taught by Moehrle to include the editing of the displayed content of Arkhipov, in order to obtain selection of a data set name and corresponding file component name for hierarchical display in a history panel, displaying content of the selected file component in a panel displayed with the history panel and editing of the displayed content. One would have been motivated to make such a combination because a unified editing interface would have been obtained, as taught by Arkhipov.

### ***Conclusion***

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar history panels and source code editing displays.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M. Hanne whose telephone number is (571) 272-4135. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WEILUN LO can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

smh 